



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/824,117	04/02/2001	David W. Boyd	10003824-1	9177

7590 05/07/2003
HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, CO 80527-2400

EXAMINER

AL HASHEMI, SANA A

ART UNIT	PAPER NUMBER
----------	--------------

2171

DATE MAILED: 05/07/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

91

Office Action Summary

Application No.

09/824,117

Applicant(s)

BOYD ET AL.

Examiner

Sana Al-Hashemi

Art Unit

2171

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 April 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shaffer et al. (US Patent No. 6,389,181) and further in view of Dellert et al. (US Patent No. 6,154,755).

1. Regarding Claims 1, 8, and 16, Shaffer discloses a system for facilitating retrieval of photographs, comprising:

first software code for creating from a digital representation of a photograph (see column 3, lines 28-34, Shaffer);

second software code for associating retrieval information with said thumbnail representation (see column 4, lines 11-14, Shaffer);

third software code for associating a label identifier with said photograph (see column 4, lines 15-19, Shaffer); and

fourth software code for generating and printing a label including a label identifier (see Fig. 2, step 6, column 3, lines 47-51, Shaffer).

Shaffer discloses all the claimed subject matter as noted above with exception to the thumbnail representation. However, Dellert discloses the thumbnail representation (see column 4, lines 30-44, Dellert). It would have been obvious to one of ordinary skilled artisan at the time

Art Unit: 2171

of the invention to modify the Shaffer system by adding the thumbnail in the pixel information with the motivation of having higher resolution and the capability of rotating, resizing images.

2. Regarding Claims 2, and 9, the combination of Shaffer and Dellert discloses a system wherein a software interface enables a user to provide the digital representation by scanning a photograph (see Fig. 2, step 18, column 3, lines 62-67, Shaffer).

3. Regarding Claims 3, 10, and 17, the combination of Shaffer and Dellert discloses a system wherein a software interface enables a user to provide the digital representation by downloading the digital representation from a digital camera (see Fig. 2, step 22, column 3, lines 47-55, Shaffer).

4. Regarding Claims 4, 11, and 18, the combination of Shaffer and Dellert discloses a system wherein the retrieval information includes meta-data (see Fig. 2, step 34, column 4, lines 15-17, Shaffer).

5. Regarding Claims 5, and 12, the combination of Shaffer and Dellert discloses a system wherein the meta-data includes global positioning system (GPS) coordinates (see column 8, lines 31-37, Shaffer).

6. Regarding Claims 6, and 13, the combination of Shaffer and Dellert discloses a system wherein the meta-data includes voice annotations (see column 4, lines 20-22, Shaffer).

7. Regarding Claims 7, and 14, the combination of Shaffer and Dellert discloses a system further comprising:

a database for storing thumbnail representations (see Fig. 2, step 40, Shaffer), retrieval information (see Fig. 2, step 38, Shaffer), and label identifiers (see Fig. 2, step 34, Shaffer),

Art Unit: 2171

wherein each of said label identifiers uniquely identifies a storage structure that is utilized to store a plurality of photographs (see Column 2, lines 41-44, Shaffer).

8. Regarding Claims 15, 19, and 20, the combination of Shaffer and Dellert discloses a method for facilitating retrieval of photographs, comprising:

receiving retrieval information associated with a plurality of photographs (see column 4, lines 40-45, Shaffer);

associating a storage structure identifier with said plurality of photographs, wherein said storage structure identifier is utilized to identify a storage structure utilized to retain said plurality of photographs (see column 4, lines 22-26, Shaffer);

storing said retrieval information and said storage structure identifier in a database (see column 4, lines 15-20, Shaffer);and

printing a label wherein said label comprises said storage structure identifier (see Fig. 2, step 6, Shaffer).

Art Unit: 2171

Points of Contact

Any inquiry concerning this communication or earlier communications from the examiner should be directed to: Sana Al-Hashemi whose telephone number is. The examiner can normally be reached on Monday - Friday from 8:00 AM to 4:30 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic, can be reached on (703) 308-1436. Any response to this office action should be mailed to: The Commissioner of Patents and Trademarks, Washington, D.C. 20231. Or telefax at phone number (703) 746-9098. For formal or draft communications, please label "PROPOSED" or "DRAFT". Hand-delivered response should be brought to: Crystal Park II, 2121 Crystal Drive, 6th Floor Receptionist, Arlington, Virginia. 22202.

Sana Al-Hashemi
Patent Examiner
Technology Center 2100
April 30, 2003



SAFET METJAHIC
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100